

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**HITUL GANDHI, Individually and on behalf of a  
class of others similarly situated,  
Plaintiff,**

**-vs-**

**Case No. A-08-CA-248-SS**

**DELL INC., AND DELL MARKETING USA L.P.,  
Defendants.**

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**CATHERINE L. DAVIS and TOMMY MOORE,  
Individually and on Behalf of Others similarly  
situated,**

**Plaintiffs,**

**-vs-**

**Case No. A-08-CA-794-SS  
(Consolidated)**

**DELL, INC. d/b/a DELL COMPUTER, INC., a  
Delaware corporation, DELL USA L.P., a Texas  
Limited Partnership and DELL MARKETING  
L.P., a Texas Limited Partnership,  
Defendants.**

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**CONSENT TO SUE UNDER F.L.S.A.**

I hereby consent to be a plaintiff in an action under the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.*, to secure any unpaid minimum wages, overtime, liquidated damages, attorney's fees, costs and other relief arising out of my employment with Dell, Inc. d/b/a Dell Computer, Inc., and any other associated parties, including any subsidiaries or entities affiliated with Dell, Inc. d/b/a Dell Computer, Inc.

I authorize William B. Federman, Esq. of Federman & Sherwood, and any attorneys associated with Federman & Sherwood, as well as any successors or assigns, to represent me in such action. I further authorize Catherine Davis and

Tommy Moore, the Named Plaintiffs, to represent my interests in this case.

Dated: May 20<sup>th</sup>, 2009

*John R. Fernando*  
SIGNATURE

John R. Fernando  
PRINTED NAME